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Petition
R. 1376

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul F. Umbeck

Date: August 10, 1988

Serial No.: 06/937,384

Docket No.: D601 CETUS 40

Filing Date: December 3, 1986

Group Art Unit: 124

For: GENETIC ENGINEERING OF COTTON PLANTS AND LINES

PETITION TO REVIVE ABANDONED APPLICATION
UNDER 37 CFR SECTION 1.137(b)

Attention: Petition Examiner,
Deputy Assistant Commissioner of Patents
Commissioner of Patents
and Trademarks
Washington, D.C. 20231

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DEPUTY ASST. COMM.

Dear Sir:

137b

The undersigned attorney for the applicant in the above identified patent application respectfully petitions the Commissioner of Patents and Trademarks to revive the above application under the provisions of 35 CFR Section 1.137(b) on the grounds that the abandonment of the application was unintentional.

This application was subject to an Office Action dated February 3, 1988 having a statutory three month period of response due to expire on May 3, 1988. It was the intention of the applicant, and of the undersigned attorney, to file a suitable response on or before August 3, 1988, with a suitable Extension of Time to that date being procured under the provisions of 37 CFR Section 1.136(a). Unfortunately, the amendment was not filed in a timely fashion, that failure being due to the undersigned. It was the intention of the applicant and his assignee at all times that the application be maintained in force and that a proper and timely response be filed. The failure of the undersigned to timely file the amendment was due, at least in part, to the birth of a child to

Amend-ment to 124

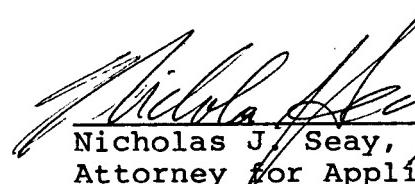
the wife of the undersigned, and the resulting severe and critical illness of the wife of the undersigned, which resulted in the undersigned failing to attend to his office duties as appropriate on August 2 and 3, 1988.

A response responsive to the Office Action of February 3, 1988, is enclosed herewith. It is believed that this amendment would have been properly responsive to the outstanding Office Action, if timely filed.

Our firm check in the amount of \$560.00 for the petition fee specified under 37 CFR Section 1.137(a) is enclosed herewith. The Commissioner is hereby authorized to charge any additional amount required in connection with this Petition, or credit any overpayment, to Deposit Account number 15-0660. A duplicate copy of this Petition is enclosed.

In view of the foregoing, the undersigned respectfully requests that the Commissioner find that the application was unintentionally abandoned, and that the provisions of Section 1.137 have been properly complied with, so that the application may be promptly revived for further prosecution on the merits.

Respectfully submitted,



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